

1895-012 Chancery Causes: Bamberger Bloom & Co] vs J. F. Howard &
Lee Co

Bloom, Bamberger, J W. Howard & Co], Jones. Wilson

CA-Debt
T-Property

"Affidavit."

Virginia: Lee County to-wit:

I, A. B. Munsey, Clerk of Lee County Circuit Court do Certify that M. H. Ely, Attorney and

~~Agent for~~ ^{Agents for} Rina Bloom, Exrs of R. Bloom & Pauline Bamberger, Levi J. Bam-
berger, ~~E. S. Bamberger~~, J. W. Bamberger, Exrs & Exrs of J. H. Bamberger, &
Levi Bamberger, Julius Bamberger & Levi Bloom, Merchants

and partners doing business under the firm name
and and style of "Bamberger, Bloom and Company,"
plaintiffs, in a certain Chancery Cause pending in
the Lee County Circuit Court against J. F. How-

ard, and Elaud Howard and J. H. Howard, Mer-
chants and partners doing business under the
firm name and style of "J. M. Howard & Co.,"

and Rebecca M. Howard, wife of J. F. Howard,
defendants, made oath before me in my Office,

that ~~he~~ ^{he} ~~believes~~ ^{believes} to the best of his information and
believes that said J. F. Howard is justly indebted

to R. Bloom, Exrs of R. Bloom & P. Bamberger, L. J. Bamberger, E. S. Bamberger &
J. W. Bamberger, Exrs & Exrs of J. H. Bamberger, & L. Bamberger & Julius
Bamberger & Levi Bloom, Merchants

and partners doing business under the firm
name and style of Bamberger, Bloom & Co.

in the sum of \$274.50, with interest
thereon from the 7th day of August, 1894,

till paid, and that said plaintiffs have cause
of action upon said debt, and that said affi-

ant believes that said debt is just, due,
and unpaid, and that said affiant believes

that said J. F. Howard has fraudulently aspi-
gined a certain stock of goods, wares and

merchandise, and a soda fountain, at Olinger,
Lee County, Va, in a Store house known as

the Y. B. Thompson house to the said J. M. How-

ard and Elaud Howard, Merchants and

partures as aforesaid with intent to hinder
and delay and defraud his Creditors,
and that the said assignees are aiding
in said fraud; And that said official
further believes that J. F. Howard has
fraudulently conveyed one certain lot or
parcel of land lying in the town of Olinger,
Lee County, Va. to his wife Rebecca W. Howard
for the purpose, and with the intent to hinder
delay and defraud his Creditors; and that said
official believes that said J. F. Howard has
converted the aforesaid stock of goods, wares
and Merchandise, and real estate into
money, securities or evidences of debt with
intent to hinder, delay and defraud his
Creditors; And that J. F. Howard, Rebecca W.
Howard and Isaac Howard are now residents
of the State of Virginia. Given under my
hand, this the 19th day of November, 1894.

A. B. Munsey Clerk

'Bill'

To the Hon. W. F. Miller, Judge of the Circuit Court
of Lee County, Va.

Your Orators & Oratrix, R. Bloom, Exor of N. Bloom, dec'd & P. Bamberger,
L. J. Bamberger, C. S. Bamberger & J. L. Bamberger, Exors & Exors of J. F. Bamberger,
dec'd, & L. Bamberger, Julius Bamberger & L. Bloom, Merchants
and partners doing business under the firm name
and style of Bamberger, Bloom & Co, humbly Com-
plain, sheweth unto your Honor, that J. F. Howard
was justly indebted to your orators on
the 7th day of August 1874 in the sum of \$274⁵⁶
for goods, wares, and Merchandise theretofore
sold by the Complainants and delivered to him
at his special instance and request; that
a stated and proved account of said goods,
wares and Merchandise is heretofore marked
"A" and is prayed to be taken and considered
as a part of this bill; that no part of said
sum of money has ever been paid to your
orators or to any person authorized to receive
the same but that the same is not paid
and that the same is now due and
payable; that J. F. Howard has assigned to
J. M. Howard and Leland Howard, Merchants and
partners doing business under the firm name
of J. M. Howard & Co, a stock of goods, wares and
Merchandise, and a soda fountain, at Clinch,
Lee County, Va, with intent to hinder, delay
and defraud his creditors; that the said J. M.
Howard and Leland Howard, Merchants and
partners doing business under the firm name
of J. M. Howard & Co have colluded with the said
J. F. Howard for the purpose of aiding him to
cheat, defraud, and hinder the creditors of

That J. F. Howard, J. W. Howard & Leland Howard executed a deed of trust to Sec. Jones, Trustee for the use of H. D. Wilson on the day of 1894 with the intent to defraud, delay & obstruct the creditors of J. F. Howard, which trust deed is here filed & marked "B" & is prayed to be taken as part of this bill.

1 said J. F. Howard in the collection of their
2 debts; that J. W. Howard & Co have not paid
3 a valuable consideration for said goods or
4 for any part of them; that the said J. F. Howard
5 conveyed to his wife, Rebecca W. Howard, a
6 certain lot in the town of Olney, Va. on
7 the day of 1894, without valuable
8 consideration and with the intent of defrauding,
9 cheating, and delaying his creditors in
10 the collection of their debts; that the said
11 Rebecca W. Howard accepted said fraud-
12 ulent deed with the sole purpose of aiding
13 her said husband to defraud his creditors,
14 which deed is here filed marked "B" and
15 is prayed to be taken and considered as
16 part of this bill; //

17 Your orators now represent that J. F.
18 Howard has no other property in this County
19 and State out of which they can make
20 their debt; and that J. F. Howard, ~~Rebecca~~
21 ^{to} Rebecca W. Howard and Leland Howard are
22 now residents of the State of Virginia.

23 The premises considered and your orators being
24 without remedy at law they pray that J. F. Howard,
25 Rebecca W. Howard, and, J. W. Howard and ~~and~~
26 Leland Howard, Merchants and partners under
27 the firm name of J. F. Howard & Co, be made
28 parties defendant to this bill and that they be
29 required to answer the same but not upon
30 oath that being waived; that the said deed to
31 Rebecca W. Howard be set aside and that
32 said lot of land be subjected to the payments

5/ of your orators said debt, that said assign-
ment to J. M. Howard & Co. be cancelled; that
the said deed of trust executed to Lee Jones
Trustee for the use of H. G. Wilson be set aside
and declared null and void as to the
creditors of J. F. Howard; that process of
Attachment issue against said goods and
lot and that general relief be granted; that
the Commonwealth of Va. issue the
directed V.C. and as is duty bound of our
Orator will ever pray.

Orr, Ely & Orr

Sols.

Virginia: Lee County, to-wit:

J. A. B. Munsey, Clerk of the Circuit Court of
Lee County, Va, do certify that M. H. Ely appeared
before me in my Office, and made oath that
the matters and things in the foregoing
bill are true. Given under my hand
this the 17th day of November, 1894.

Clerk

Barnes, Bloom & Co
vs } Bill in Chy
J. F. Howard et al

1894 2nd December Rules bill
filed & Contd for order
of Publication

1895 1st January Rules Contd
" 2nd " " order pub
Completed & Cause set for
hearing.

" March term Contd

" June Term Decree final
See Chy order Book
Page 213

Peff Costs

C 4.05

Printer 6.00

\$10.05

J. A. Canning } attys
Orr, Cady & Orr }

CLERK'S RECEIPT.

No. **66**

SUITS.

Plaintiff *Brynberger Bloom & Co*

Defendant *J. F. Howard et al*

Date *December the 18th 1894*

Amount of tax, - - - - \$ *1.50*

Common law

Chancery *Chcy*

Received (date) *December the 18th 1894*

A B Munsey

Clerk.

AFFIDAVIT ON WRITTEN NOTES OR ACCOUNTS.

Printed and for sale by Maxwell & Co., Louisville, Ky.

[If Open Account fill up both forms, If Written Contract only this one.]

STATE OF KENTUCKY,

County of Jefferson } Set.In the matter of account due Bamberge Blount
from the estate of J F Howard ~~deceased or assigned~~ ⁽¹⁾:This day came Julius Bamberge who being first
duly sworn, deposes and says he is one of said creditor firm ⁽²⁾Bamberge Blount and that the
account hereto attached ~~against the estate of~~ J F Howard
for Prokin M. Ozerenty firm 57 Dollars
¹⁰⁰
is a just demand and has never been paid; and that there is no offset or discount
against the same, or any usury therein.⁽³⁾ And this affiant further states that the account herein claimed is due for the articles
mentioned therein, and that the same were sold and delivered by said claimant to the
said J F Howard
at his special instance and request and that he promised to pay the sums
therein charged.Subscribed and sworn to before me by Julius Bamberge
this 9th day of Nov 189 4My commission expires Mar 18 189 6 Fred Knefler

(1) As case may be. (2) If a Corporation, that he is President or Secretary, adding on blank line below under the laws of what State it is organized. (3) If the claim is other than an open account erase this entire paragraph.

STATE OF KENTUCKY, } **Sct.**
County of

In the matter of the account due
from the estate of *deceased, or assigned* (*):
This day came *a witness for said claimant,*
who being first sworn, deposes and says that he has examined the account hereto
attached, which is for *Dollars.*
100
and that he knows that the article mentioned in said account, or services rendered, (*)
..... sold and delivered or performed (*) *by the said claimant to the said*
....., that he knows the value of same and
that the charges are reasonable, that he has no interest therein, and said account is
correct.

Subscribed and sworn to before me by

this *day of* *189*

(*) As case may be.

Folio

740

Statement

Louisville, Ky. Nov 8 1894

Mr J F Howard

Oliniger Va

TO

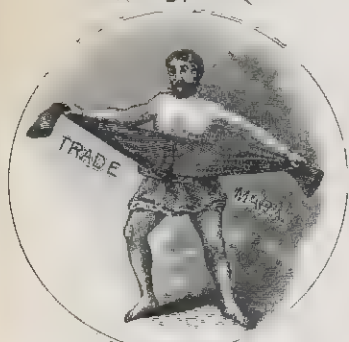
Bamberger, Bloom & Co.

1894

March	7	To note	bills	147	54
"	"	"	do "	57	83
April	7	"	do "	43	58
"	"	"	do "	8	15
"	"	"	19.6 do	11	
				268	10
Interest @ 6%.				6	46
				274	56

MANUFACTURERS

OF



THE CELEBRATED
"HERCULES" PANTS

Salesman order.

Salesbook 4 Folio 153

Mr. J. F. Howard

Bought
of

Wamberger & Co.

Louisville, Ky. April 7 1894

60% 100% 40% 60 Days.

900 1/2 Jean & Pants

12

11 00

Duplicate

NOT RESPONSIBLE FOR ANY GOODS PACKED IN TRUNKS.
ADDRESS ALL BUSINESS COMMUNICATIONS TO THE FIRM.

Salesbook



Seifert & Samberger, Steyer - Co.

Printed for the author by J. W. Smith, 1, Apple St. N.Y.

	1	Rem. Hat dress		75
600	6	Baujo string	15	90
701	1	Gloves		125
606	1	"		2
©	1	Over shirt		325
		dupliant		815

EXPRESS CHARGES ON REMITTANCES MUST BE PRE PAID
INTEREST CHARGED ON ALL BILLS AFTER MATURITY

NOT RESPONSIBLE FOR ANY GOODS PACKED IN TRUNKS.
ADDRESS ALL BUSINESS COMMUNICATIONS TO THE FIRM.

Wholesale Lumber Co. Louisville

Salesman Wm. M. M. M.
Salesbook 150 Fol. 467



My. J. F. Howard
Oliver
Bought of W. Damberger, Bloom Co.
Louisville, Ky. Apr. 7 1894
Pay to W. D. Dyer or 20 W. Dyer

500	3	Round. Cott. Yarn	60	7	420
400	3	"	60	8	510
	2	allum fancy P.S.	1062	4	506
	2	mebe "	101	4	456
	8	Ok. Plaid	482	4	2291
5/4	1	ail. cloth			115
		duplicate			1358

EXPRESS CHARGES ON REMITTANCES MUST BE PRE-PAID
INTEREST CHARGED ON ALL BILLS AFTER MATURITY

NOT RESPONSIBLE FOR ANY GOODS PACKED IN TRUNKS.
ADDRESS ALL BUSINESS COMMUNICATIONS TO THE FIRM

Salesman

Salesbook

149

Fol.

427

Wm. J. F. Howard.

Olinger



Wm. J. F. Howard & Co.

Wm. J. F. Howard & Co.

March 7, 1894

Job 6 Best Fry pt.
4 Gephyr "
6 Simpson "
4 Hawk Red "
4 Allen pink
6 Cold By Plaid
B 1 Thorn dyk Huckly
XY 1 Standard "
Wd 1 Cardano 2H.
ua 2 Col Herill
4 Cold By Bro.
4/4 10 Brown "
2 2 B. Balto.
2 Riddle Cotton

271'	4"	12	21
204'	5"	11	23
298'	5"	16	43
205'	5"	11	31
208'	6	12	51
362'	4"	17	23
602'	8	4	44
642'	7	4	52
572'	12	7	19
106	6	6	36
202'	3"	7	58
522'	5	27	40
100	8	8	
	35	70	

147 54

Replicate

NOT RESPONSIBLE FOR ANY GOODS PACKED IN TRUNKS
ADDRESS ALL BUSINESS COMMUNICATIONS TO THE FIRM,

Salesman.

Salesbook



PAID AFTER MATURITY.

376

Mr. J. J. Conrad
Oliniger

August 1st, 1894
Sung of Samberger, Bloom Co.
Net 60 days

Wm. J. Conrad
Tombville, Tex. Feb. 22 1894

	1	Pof L Black	64	5	32.0
		Mill	50 ²	7	3.54
x		"Chap. M.B."	59	6	3.54
		Red Cannon	52 ²	3 ³	1.96
6/4		Hamm. Cashew	52	10 ²	5.46
3/4		Lettre.	50	7 ²	3.75
		Sweet. Lard	105 ³	3 ³	3.97
Wh.		Spidd. Kitt Cotton		35	1.40
D ⁸		Buret	41 ³	35	14.62
		Maine oak	25	6 ²	1.63
30		In d. Lion on	34	6 ²	1.56
		Spool		45	1.35
500		Hose			1.20
		Stick N'd Kf			2
1125		Tire			2
1218		Hose			1.50
90		Brace Butto			1
		" "			.75
		34 in Trunk		325	325
		Wagon			
		Duplicate			5783

Bamberger Bloom & Co., }
vs. } & Chy.
J. F. Howard et al }

This day came again the defendants by their attorney and moved the Court to dismiss this cause on the ground that no bond for security for costs has been given pursuant to the order entered herein on the 7th day of March 1895. And it appearing to the Court that no such bond has been given, it is ordered that this cause be & the same is hereby dismissed -

Baumberger Bloom & Co

2 { Deceit

J. F. Howard et al

Entered in
Chancery Order
Book 1
Page 213

Enter this

N J M

June 11th 1895.

O. C. M. & Oly atty

Virginian,
Print,
Jonesville, Va

Form No. 302.

Virginia;

In the Clerk's Office of the Circuit Court of the County of

Lee
Bamberger, Blooms & Co

Plaintiff §

against

J. F. Howard et al

Defendant §

In Chancery

This day

M. A. Cely

personally appeared

before me

A. B. Munsey

Clerk of the said Court,

and being duly sworn, made oath that

J. F. Howard, Rebecca W. Howard
and Elwood Howard

defendant § in the said suit are not resident § of the State of Virginia,

Given under my hand as Clerk of the said Court, this

18th

day of

~~November~~ December

1894

A. B. Munsey Clerk

Bamberger, Bloom & Co

vs.

{ AFFIDAVIT FOR ORDER
OF
PUBLICATION.

J. F. Howard et al

Orr, Ely & Orr p. q.

Filed December the
18th 1894

A. B. Munsey
Clerk

CERTIFICATE OF ORDER OF PUBLICATION.

We, A. M. Goins and W. H. Eads,
editors of the SOUTHWEST VIRGINIAN,
a weekly newspaper published at
Jonesville, Lee county, Virginia, do
hereby certify that the annexed no-
tice was published in said paper
once a week for four successive
weeks, commencing on the 20

day of Dec 1894.

A. M. Goins
W. H. Eads } Editors.

VIRGINIA:—In the Clerk's Office of
the Circuit Court of the County of Lee
on the 18th day of December 1894.

Banning, Adler, Bloomer & Co.,
Plaintiffs.

against
J. F. Howard et als, Defendants.

In Chancery.

The object of this suit is to attach the
real and personal estate of J. F. Howard
situate in the above county and state; and
to set aside a deed of conveyance made by
said Howard to Rebecca Howard. Also,
to set aside a deed of trust made by him to
Lee Jones for the benefit of H. D. Wilson
and to recover \$274.56 with interest from
December 18th, 1894, till paid and the costs
of this suit.

And an affidavit having been made and
filed that the defendants J. F. Howard,
Rebecca W. Howard and Claud Howard
are not residents of the State of Virginia,
it is ordered that they do appear here,
within 15 days after due publication hereof
and do what may be necessary to protect
their interest in this suit. And it is further
ordered that a copy hereof be published
once a week for four weeks in The South-
west Virginian, and that a copy be posted
at the front door of the court-house of this
county on the first day of the next term of
the county court. A copy—Teste:

A. E. MUNSEY, Clerk.

Orr, Ely & Orr, and Geo. A. Ewing, p q.
d20 kw

Charges \$6.00